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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KDEM](#) [AR](#) [GA](#) [AJ](#)  
SUBJECT: DAS BRYZA PROMOTES DEMOCRACY AGENDA WITH FM  
MAMMADYAROV AND CHIEF OF STAFF MEHDIYEV

REF: BAKU 231

Classified By: AMBASSADOR ANNE E. DERSE PER 1.4(B,D).

11. (C) SUMMARY: In separate March 4-5 meetings with Foreign Minister Elmar Mammadyarov and Presidential Chief of Staff Ramiz Mehdiyev, EUR/DAS Bryza reviewed election assistance and the issue of our bilateral democracy dialogue agenda with Azerbaijan, underscoring the importance of democratic reform to the overall bilateral relationship. Both Mammadyarov and Mehdiyev affirmed the GOAJ's intention to conduct a free and fair presidential election. Commenting on the post-election situation in Armenia, Mammadyarov and Mehdiyev criticized the perceived imbalance in U.S. reaction to human rights violations in Armenia versus Azerbaijan. Mammadyarov and Mehdiyev both argued that real change in Azerbaijan's media environment would require time and greater professionalism on the part of journalists. Mehdiyev underscored that Azerbaijan looks for a truly objective U.S. assessment of the 2008 election. Continued discussions of the elements the U.S. will consider as we assess the conduct of the election will be needed to help assuage GOAJ concerns that Azerbaijan is being held to a higher standard than its neighbors. During the meeting with Mammadyarov, Deputy Foreign Minister Araz Azimov inquired about the wording related to Nagorno-Karabakh in the 2007 Human Rights Report, cautioning that "people are watching" to ensure the language clearly reflected that Nagorno-Karabakh and the surrounding territories belonged to Azerbaijan. END SUMMARY

FOREIGN MINISTER ELMAR MAMMADYAROV ON ELECTIONS  
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12. (C) On March 4 DAS Bryza and Foreign Minister (FM) Elmar Mammadyarov conducted the fifth session of the bilateral democracy dialogue. After a brief discussion on the post-election situation in Armenia, Mammadyarov opened by noting the need for the USG to establish a similar democracy dialogue with Georgia and Armenia, "particularly on elections." DAS Bryza assured the FM that the USG has an ongoing, active discussion with both states on democracy. Turning to Azerbaijan's October presidential election, Mammadyarov said that Azerbaijan would abide by its international commitments, including those with the UN, the OSCE, and the Council of Europe (COE). The U.S. wants Azerbaijan to accelerate reforms per these commitments, he continued, while Azerbaijan prefers to maintain its "step-by-step" pace. Mammadyarov said the election environment would be different than in past elections, when there were "thousands in the streets, not hundreds."

13. (C) Ambassador Derse reviewed for the FM U.S. election

assistance plans, noting that the USG would spend approximately \$3 million in assistance, about \$2.5 million in ongoing assistance, and \$500,000 in new programs. She highlighted U.S. plans to fund parallel vote tabulation at polling stations rather than exit polls as in past years. The FM expressed frustration regarding exit polls in past years, noting that the GOAJ had "bad experience in the past" with polls conducted by U.S. companies. While the exit polls confirmed the GOAJ's official results, he said, the OSCE's report still criticized the conduct of the election. The Ambassador assured the FM that the U.S. assessment of the conduct of October's election will be objective and transparent, and that the U.S. would be open with the GOAJ about its evaluation criteria. She also outlined U.S. plans to fund an observation mission by the European Network of Election Monitoring Organizations, and to conduct a police training program in conjunction with the OSCE, to encourage peaceful crowd control.

¶4. (C) Mammadyarov complained about the international community's assessment of recent elections in Georgia and Armenia, noting his concern that the U.S. should take a transparent, impartial approach with Azerbaijan, Georgia, and Armenia. He emphasized that the GOAJ always is ready to cooperate with the U.S., the OSCE, and the COE. "We consider the U.S. a strategic partner, so we accept some criticism from you." Deputy Foreign Minister (DFM) Araz Azimov noted that the GOAJ also criticizes the U.S.; Mammadyarov jokingly added that the U.S. presidential election should also be on the democracy dialogue agenda, and that perhaps Azerbaijani observers should monitor the U.S. election. Bryza strongly welcomed the suggestion.

#### MEDIA FREEDOM

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¶5. (C) Mammadyarov said that the current state of media freedom is much better in Azerbaijan than in Russia, Georgia and Armenia; "We don't ban TV or newspapers, and we don't censor the internet. This makes our commitments and intentions clear." Noting that "some ideas work in the U.S., not our part of the world," Mammadyarov said Washington should be more understanding of Azerbaijan when it comes to media freedom. "Change takes time," he said, "but the process will continue." DAS Bryza noted Mammadyarov's concern, and emphasized that the purpose of the bilateral democracy dialogue was to encourage early progress on issues that could have a concrete, positive impact on Azerbaijan's democratization. He also noted that journalists had not suffered the same degree of physical threats - including murder - in Georgia as had been the case in Azerbaijan.

¶6. (C) The FM referenced the case of Ilgar Nasibov, a Nakhchivan-based correspondent for Radio Free Europe/Radio Liberty, who was arrested in November. According to Mammadyarov, he and President Aliyev were out of town when Nasibov was arrested; he said that Nakhchivani authorities had understood Nasibov's affiliation to be with opposition Azadliq newspaper, and that he would not have been arrested if they correctly had understood he worked for Radio Free Europe/Radio Liberty. This was a case of local authorities making a "stupid" mistake and trying to be "holier than the Pope." Mammadyarov noted the need for greater education on media freedom, and said the GOAJ would continue working with the OSCE to hold conferences and seminars. "The OSCE is doing a good job," he said, in part because its Ambassador understood the need to include all sides at the table, which he characterized as the "radical" and "constructive" opposition -- specifically referring to Azerbaijan Democratic Reforms Party Chair Asim Mollazade in the latter category.

¶7. (C) Mammadyarov emphasized that "ethical issues" made the GOAJ's approach to the media "sometimes tricky." He said that the harshest criticism in the local press is against President Aliyev, and chuckling, added that during their April 2006 meeting at the White House, President Bush said to President Aliyev "So the press is criticizing you, they're

killing me!" The FM criticized the U.S. approach of raising individual media cases, complaining that while the U.S. promotes the rule of law, it also "asks us to interfere," citing as example the case of now-jailed Azadliq newspaper Editor-In-Chief Ganimat Zahid, who he said was a "criminal," evidenced by the charges of hooliganism. He also referenced the Chap Evi printing house tax audit, on which he said the Embassy was "calling every day." The Ambassador noted that the U.S. raises individual cases against the backdrop of apparent pressure on the independent and opposition media. She underscored the need for an alternative conflict dispute resolution mechanism for libel cases.

18. (C) The FM noted the GOAJ's steps to address the media freedom situation, specifically President Aliyev's December pardon of five imprisoned journalists, and stated that he personally was against the release of imprisoned journalists. "It's dangerous for society," he explained; "journalists become untouchables." Mammadyarov complained that journalists do not pay fines imposed upon them in courts, leaving only criminal forms of legal redress. On a positive note, he thanked the U.S. for its work training Azerbaijani journalists, noting that such training was important for the long-term development of a free media environment. The Ambassador stated that the U.S. would remain committed to continuing such training programs, but that the GOAJ has an affirmative responsibility to create the conditions necessary for a free media to thrive.

#### BROADER DEMOCRACY AND HUMAN RIGHTS ISSUES

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19. (C) Mammadyarov said that the new draft law on freedom of assembly soon would be discussed in Parliament, and that if the current draft is adopted, it will be in accordance with Venice Commission standards. He noted that the Venice Commission dialogue on the electoral code was ongoing, and promised to have his staff send the Embassy written updates on this point and all others marked "Azerbaijan lead" on the democracy dialogue agenda. (NOTE: One of the FM's staff members followed up with Poloff, noting that the response is being compiled; he also requested that the U.S. pass a written summary of planned election assistance activities and

recommendations for an alternative conflict resolution mechanism to the ministry. The Embassy will send a summary of planned election assistance once final funding decisions have been made, and will re-send recommendations for the resolution mechanism as passed in November.)

110. (C) The Ambassador raised religious freedom, noting that Azerbaijan has a strong history of religious tolerance, and that the U.S. did not want to see that erode. She expressed concern over reports of increased pressure on non-traditional religious groups. The Ambassador thanked the GOAJ for its efforts in registering the Election Monitoring Center. DFM Azimov proposed that the GOAJ compile a list of positive developments on the democracy front, noting that the U.S. was quick to criticize but did not react sufficiently to positive developments. If that's the case, he asked, why should the government care? The FM agreed, and referenced the Department's statement on Ganimat Zahid's case as evidence of quick criticism. DFM Azimov also noted the need for the U.S. to make balanced statements on Azerbaijan and Armenia.

#### AND THE NAGORNO-KARABAKH CONFLICT

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111. (C) The DFM inquired as to the language related to the Nagorno-Karabakh conflict in the 2007 Human Rights Report. DAS Bryza assured the DFM that the report clearly refers to Nagorno-Karabakh and the seven surrounding regions as Azerbaijani territory. The DFM cautioned that the GOAJ "cannot tolerate uncertainty, vagueness, or ambiguity on this. It runs counter to our interests." DAS Bryza emphasized U.S. support for Azerbaijan's territorial integrity and the need for a peaceful, negotiated solution to the conflict, stating that "there's no other possible

course." Mammadyarov responded that the peace process started in 1999, "and now we are tired." In light of Kosovo's independence, the FM noted the need for a paper stating clearly that the Nagorno-Karabakh conflict will be resolved on the basis of territorial integrity. DFM Azimov reiterated that "people are watching" the U.S. language on the conflict, and if there were to be a change similar to the post-publication changes to the 2006 Human Rights Report, there would be suspicion regarding U.S. participation in the OSCE Minsk Group process -- both in Baku and Yerevan. The language must indicate that Nagorno-Karabakh and the surrounding territories belong to Azerbaijan, Azimov concluded. Bryza reiterated U.S. support for Azerbaijan's territorial integrity, but held that the status of Nagorno-Karabakh is a subject for negotiations, as both FM Mammadyarov and DFM Azimov well understood from their leadership of Azerbaijan's Minsk Group negotiations.

PRESIDENTIAL CHIEF OF STAFF RAMIZ MEHDIYEV  
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¶12. (C) In a March 5 meeting, Presidential Chief of Staff Ramiz Mehdiyev told DAS Bryza that the GOAJ seeks to hold a presidential election that is in line with international standards and has developed a comprehensive action plan to support this goal. Mehdiyev noted that he had a good discussion with Ambassador Derse regarding the elements the U.S. would consider in evaluating the conduct of Azerbaijan's October presidential election, as well as of planned U.S. election-related assistance (reftel). The key point, Mehdiyev said, is that Azerbaijan wants a truly objective evaluation of its election. Azerbaijan was "not satisfied" with the assessments of previous elections; "I always felt there were political instructions for OSCE reports," Mehdiyev said.

¶13. (C) Mehdiyev argued that Azerbaijan, relative to Georgia and Armenia, was unfairly singled out for criticism by OSCE/ODIHR. Mehdiyev was particularly exercised about alleged fraud in Armenia's February 19 election, stating that the Armenian government's closure of 34 precincts should have changed the outcome of the election yet the OSCE determined that the election was "mostly in line with international standards." "Why is the West sleeping (about events in Armenia)," Mehdiyev asked, when "any small action in Azerbaijan results in a torrent of criticism?"

¶14. (C) After cataloging numerous alleged Armenian election irregularities, Mehdiyev assured Bryza that similar events would not happen in Azerbaijan. The GOAJ seeks to maintain stability in order to increase Azerbaijan's political and economic development. "We will be able to hold free and fair

elections," Mehdiyev said. He pledged to work with the Ambassador to ensure that the Embassy has "only good news to pass to Washington. Azerbaijan will be a model of good elections in the Caucasus."

¶15. (C) Bryza welcomed Mehdiyev's assurances, noting that he sensed a change in attitude toward the election, not just from government officials but from political party leaders and NGO activists as well. DAS Bryza said that GOAJ steps to improve the election environment were important, as they would increase the transparency of the process and the international community's ability to fairly evaluate Azerbaijan's election. The U.S. is preparing new assistance -- a Parallel Vote Tabulation and observation mission by the European Network of Election Monitoring Organizations -- that will help strengthen the legitimacy of Azerbaijan's electoral process. DAS Bryza emphasized that the United States' strategic interests in Azerbaijan would be strengthened by free and fair elections in Azerbaijan, as strong democracies make the strongest partners.

¶16. (C) DAS Bryza urged Mehdiyev to continue working to improve Azerbaijan's media environment. Media freedom is an important measurement of each country's democratic development, and the U.S. wants to help expand the space

available for independent, professional media to develop in Azerbaijan. Journalists in Azerbaijan should have the ability to speak openly and without fear of retribution of criminal cases or violence; at the same time, they must improve their professionalism.

¶17. (C) Mehdiyev responded that this is a "complicated issue;" as a U.S.-funded media monitoring project recently publicized, opposition newspaper Yeni Musavat was rated as Azerbaijan's least objective newspaper because it publishes "groundless, insulting information." Mehdiyev said that independent Ayna/Zerkalo Editor-in-Chief Elchin Shikhli now fears retribution from opposition journalists who "blame" him for criticizing their work. Mehdiyev said the GOAJ has conducted its own studies and concluded that very few journalists possess formal training or qualifications; moreover, Mehdiyev continued, prominent journalists such as Shikhli acknowledge that newspapers are a business and need to print scandalous articles in order to sell papers. The U.S. is right to train journalists, Mehdiyev said, but it is not enough. Mehdiyev rejected international organizations' criticisms of the media environment in Azerbaijan, arguing that the authorities do not exert any pressure on opposition media outlets. "They can print anything they want," he said. "They're not under real pressure; they simply don't have any other channels to vent their hatred of the authorities."

COMMENT

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¶18. (C) Bryza's democracy discussions were especially timely, as the Embassy - in close coordination with Washington - is beginning serious discussions with the GOAJ on the steps needed to ensure Azerbaijan's October presidential election is conducted in a free, fair and transparent manner. So far, the GOAJ has welcomed these discussions and indicated that it shares our goal of strengthening Azerbaijan's democratic process. These discussions are taking place against the backdrop of increasing GOAJ frustration with what it views as double standards in the international community's assessment of elections and democratic development in neighboring Georgia and Armenia. Continued, clear discussions of the elements the U.S. will consider as we assess the conduct of the election will be needed to help assuage GOAJ concerns that Azerbaijan is being held to a higher standard than its neighbors.

¶19. (U) DAS Bryza has cleared this message.  
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